

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

UNITED STATES OF AMERICA

v.

DZHOKHAR A. TSARNAEV

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**CR NO. 13-CR-10200-GAO
FILED UNDER SEAL**

GOVERNMENT’S SEALED EX PARTE MOTION TO SEAL

The United States of America, by and through United States Attorney Carmen M. Ortiz, and Assistant United States Attorneys (“AUSA”) Aloke Chakravarty, William Weinreb and Nadine Pellegrini for the District of Massachusetts, seeks leave to file its Ex Parte Report Pertaining to Classified Information (“the Report”), as well as this motion, UNDER SEAL and *EX PARTE*, pursuant to the Court’s Procedural Order Regarding Filing of Matters Under Seal (Dkt. 100).

As reasons therefore, the United States of America states that the Report alerts the court to a matter relating to classified information that may arise in this case. Because the Report relates to procedures necessary for the government to faithfully discharge its own discovery obligations, and because these procedures do not yet involve the defendant or the public, these matters, related to classified information, are properly dealt with *ex parte* and under seal until or unless the court orders. Disclosure of the basis of the government’s report would tend to disclose the existence of specific types of information which the government is not at liberty to discuss, and which may never be implicated in this case. Because of the serious risk of harm caused by the inadvertent or unauthorized disclosure of classified information, the government asks that the court proceed cautiously regarding the disclosure of information which could tend to disclose classified materials.

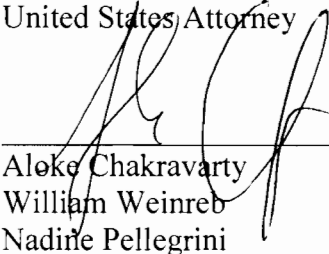
Wherefore, these facts justify the filing of the government’s Ex Parte Report Pertaining to

Classified information, and this motion, to be filed *ex parte* and under seal.

Respectfully submitted,

CARMEN M. ORTIZ
United States Attorney

Date: November 12, 2013


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William Weinreb
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